

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **089-2016**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: February 29, 2016

SUBJECT: Marine and Waterfront Protection Authority Resolution:
Use of Personal Flotation Devices (PFDs) by children

The purpose of this Letter to Commission (LTC) is to transmit a resolution adopted by the Marine and Waterfront Protection Authority (MWPA) in its February 9, 2016 meeting. This resolution is a recommendation to the Commission regarding the Use of Personal Flotation Devices (PFDs) by children. Discussion on the subject is reflected below:

In keeping with the priority of maintaining our children safe while boating, it is our very strong recommendation that the state of Florida regulations concerning the use of PFDs by children while boating be amended to conform to those regulations promulgated by the federal government.

Current Florida rules require children under the age of six to wear United States Coast Guard (USCG) approved PFDs on vessels less than 26' in length while the vessel is underway. The federal regulations require that children age 13 or under wear USCG approved PFDs while underway on all vessels 65' or less.

The vast majority of boating safety organizations recognize the lifesaving purpose of wearing PFDs while underway by all persons, regardless of age. This recommendation is endorsed by the USCG and other responsible boating organizations. There is presently a nationwide campaign to encourage the entire boating public to get into the habit of wearing PFDs as indicated in the literature in fishing and boating publications.

It is not desirable that the state of Florida (or any Florida municipality) be construed as being less concerned about the safety of children, while boating, than the federal government. Accordingly, it is our recommendation and sincere hope that the state of Florida regulations concerning the use of PFDs by children be amended to conform to the federal regulations.

The Marine and Waterfront Protection Authority resolution reads as follows:

The Marine and Waterfront Protection Authority made a motion to approve a resolution for the state of Florida to rescind its current regulation on the use of personal flotation devices (PFDs) by children and to allow federal regulation to supersede.

Action: Motion for this resolution was made by Joel Aberbach, seconded by Dr. Ronald Shane. (Vote: 10-1) Resolution passed.

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The dissenting vote was made by Mr. Robert Schwartz due to concerns regarding additional regulations and resources required for enforcement of these regulations.

JLM/SMT/HC/RSA/MAC/clr

C: Susanne M. Torriente, Assistant City Manager
 Hernan Cardeno, Esq., Code Compliance Department Director
 Robert Santos-Alborná, Code Compliance Assistant Department Director
 George S. Castell, Code Compliance Manager
 Mercedes Carcasses, Code Compliance Administrator & MWPA Liaison

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